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In Propria Persona

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL, Plaintiff, vs. GERALD ARMSTRONG; et al., Defendants.	Case No. CV 021632 **DECLARATION OF GERRY ARMSTRONG IN RESPONSE TO OSC AND REQUEST TO FAX ORDER GRANTING WAIVER OF COURT FEES AND COSTS TO COURT CALL** Date: February 4, 2003 Time: 0900 Department: H

DECLARATION OF GERRY ARMSTRONG

I, Gerry Armstrong, declare as follows:

1. I am the defendant in this case.

2. I am in Germany and cannot attend the hearing scheduled in this case on February 4, 2003.

3. As this Court knows, in November 2002 I filed an Application for Waiver of Fees and Costs (Form 982(a)(17). Judge Smith ordered that a hearing to resolve an evidentiary conflict regarding my Application that he noted as a "lack of any income reported."

4. I filed a declaration detailing why I have not reported any income; simply, I have none. Judge Smith issued a minute order that stated: "The Court has read and considered the declaration of Armstrong. The Court denies the request for a fee waiver based on insufficient information provided."

5. At the same time Judge Smith set a Case Management Conference for February 4, 2003. Attached to the Notice of Hearing was a post-it note from a clerk, which directed that I contact Court Call to schedule an appearance by telephone.

6. Since Judge Smith did not say what additional information I had not provided, it was obviously impossible for me to provide it. Thus on January 7, I submitted my "Request for Reconsideration of Denial of Application for Waiver of Court Fees and Costs," which this Court must have received. I believe I meet the criteria upon which this Court should grant my Application, and I believe this Court by denying my Application had improperly denied me my right to participate in this case.

7. I also called Court Call LLC to make arrangements for appearance by telephone at the February 4 hearing. The Court Call person, Sha, #859, advised me that telephone appearances handled by Court Call cost $55.00, which sum, clearly, is exorbitant, and which I simply cannot pay. Sha advised me that Court Call will arrange the telephone appearance if I have a waiver of fees and costs. I have not yet received the waiver for which I applied. Sha stated that since I have not yet received the waiver it is sufficient if a Court Clerk faxes a copy of the waiver to Court Call in advance of the hearing. Court Call's fax number is 888-883-2946.

8. Yesterday, January 21 I called the Clerk of the Marin Superior Court, who referred me to the Clerk of Department H, where I left a voice mail message. This morning (0130 German time) the Department H Clerk Vita called me back and advised me that there is no fee waiver on file, and that if one is granted she will not fax it to Court Call. Vita stated that I had to arrange for someone else to go to the Court and obtain a copy of the waiver (if one is granted presumably).

9. I do not have access to anyone in California who can perform this service for me. Obviously I cannot pay a Court Service company to do this.

10. I therefore request that this Court grant my application for waiver of fees, and have the order on the application faxed to the Court Call fax number provided above.

11. I wish to also advise the Court that because of threats by Scientology agents here in Germany I am in the process of moving from where I have been, and the address above. This address will be good only two more days. Scientology has terrorized the people who have been giving me a

place to stay and I can no longer stay here. E.g., appended hereto as Exhibit A is a true and correct copy of a newspaper article, along with an English translation, from the January 20, 2003 Berliner Zeitung describing freeway harassment by a Scientologist agent Mirko Otto. I have arranged a new place to stay, but I do not yet know the address, and I do not have a new phone number, but I will advise the Court when I do know my new address and phone number. This necessary move, and loss of my phone service, makes my telephone appearance via Court Call even more difficult. Nevertheless, I will endeavor to make the telephone appearance if the Court will grant my application for waiver of court fees and costs, and will have a copy of the order faxed to Court Call.

12. As I have advised this Court, this case is in reality the furtherance of a crime, specifically the conspiracy to injure, oppress, threaten, or intimidate me in the free exercise or enjoyment of the rights and privileges secured to me by the Constitution and laws of the United States, and because of my having so exercised the same, 18 USC Sec. 241. This is an extremely serious matter, and I ask that this Court take this criminal conspiracy charge as seriously as any court in the United States would or should. I have been put in a position by the Scientology cult's threats and criminal actions toward me, indeed its unclean hands in this case, where I am at a terrible disadvantage before this Court. I therefore ask that this Court assist me in every way in which it has the power to assist me, as would or should any court in the US that grasped this situation.

13. Because this declaration concerns and is in support of my application for waiver of court fees and costs, which is to be kept confidential by this Court, I necessarily am not serving copies of this declaration on the other parties in this case.

I declare under penalty of perjury pursuant to the laws of the State of California, the United States, Canada and Germany that the foregoing is true and correct.

Executed this 22nd day of January 2003 at Berlin, Germany.

Gerry Armstrong

PROOF OF SERVICE

I am a citizen of Canada and reside in Germany. I am over the age of eighteen years and am not a party to the within action. My business address is c/o Dialog Zentrum Berlin Heimat 27, D-14165 Berlin-Zehlendorf, Germany.

I served the following document:

DECLARATION OF GERRY ARMSTRONG IN RESPONSE TO OSC AND REQUEST TO FAX ORDER GRANTING WAIVER OF COURT FEES AND COSTS TO COURT CALL

on the following person on the date set forth below, by delivering a true copy thereof enclosed in a sealed envelope to the addressee below:

Judge John A. Sutro, Jr.
Department H
C/O Clerk Marin County Superior Court
Hall of Justice, Civic Center
P.O. Box 4988
San Rafael, CA 94913-4988
U.S.A

by causing such envelope with postage thereon fully prepaid to be placed in the German Mail in Berlin, Germany.

I declare under penalty of perjury under the laws of Germany and the United States that the above is true and correct.

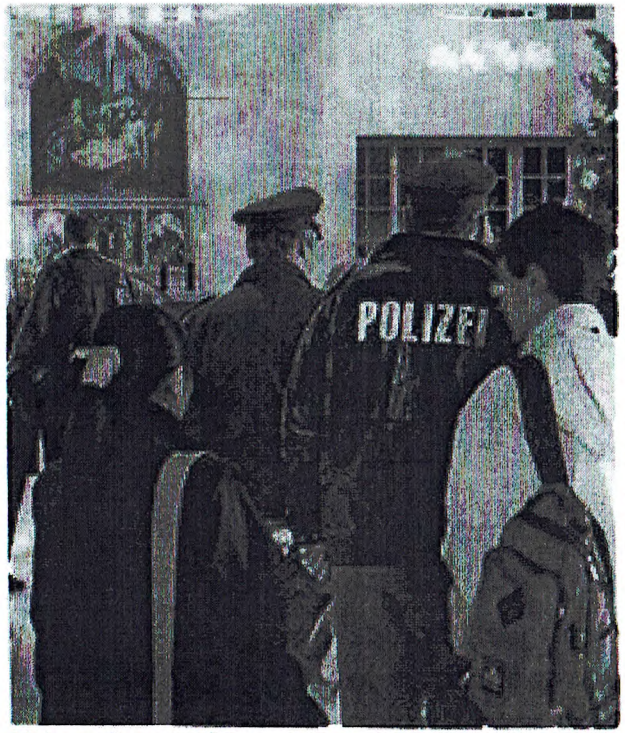
Executed on January 23, 2003 at Berlin, Germany

Caroline Letkeman

BZ
BERLINS GRÖSSTE ZEITUNG

Aussteiger berichtet in Luisen-Kirche über Scientology

Polizei schützt Gottesdienst



Mehrere Beamte sichern den Gottesdienst in der Luisen-Kirche am Gierkeplatz in Charlottenburg Fotos: Dirk Lösch (3)

Von MICHAEL PAGEL

Berlin – Er gilt als einer der ärgsten Widersacher der Scientology-Organisation: Thomas Gandow, Sektenbeauftragter der Evangelischen Kirche Berlin. In der Luisen-Gemeinde (Charlottenburg) predigte er gestern nur unter Polizeischutz. Grund: Gandow wurde verfolgt, fürchtete Störungen des Gottesdienstes.

Bereits auf dem Weg zum Vortrag in der Kirche waren Gandow und Scientology-Aussteiger Gerald Armstrong von einem Unbekannten verfolgt und fotografiert worden. „Man wollte uns einschüchtern", so Gandow zur *BZ*. Er alarmierte noch während der Fahrt die Polizei. Sie stellte den Verfolger am Rastplatz Michendorf und nahm die Personalien auf. Laut Gandow soll es sich um Mirko O., ein aktives Mitglied der Scientology-Organisation (SO), handeln. Der Gottesdienst in der Luisen-Gemeinde wurde daraufhin unter Polizeischutz gestellt.

Unter den Besuchern der Veranstaltung sollen mehrere Scientology-Mitglieder gewesen sein. Pfarrer Gandow erkannte unter anderem ein führendes Mitglied der Organisation. Die Frau protokollierte die Predigt und Aussagen des Sekten-Opfers Gerald Armstrong.

Bereits vor zwei Jahren war eine ähnliche Veranstaltung von Scientology-Anhängern gestört worden. Der Organisation gehören in Berlin nach Erkenntnissen des Verfassungsschutzes (VSG) etwa 200 Personen an. Weil der VSG bei Scientology „Anhaltspunkte für Bestrebungen gegen die freiheitliche Grundordnung" sieht, steht die Organisation unter Beobachtung.

Sie notiert jedes Wort

Protokolliert hier Scientology? Während der Predigt schrieb diese Frau beflissen mit

Thomas Gandow (li.), Sektenbeauftragter der ev. Kirche, und Gerald Armstrong, Scientology-Aussteiger

Berliner Zeitung – January 20, 2003

Ex-member reports in Luisen Church about Scientology

Police Protects Sunday Service

By Michael Pagel

Berlin - He is counted as one of the strongest opponents of the Scientology organization: Thomas Gandow Sect Commissioner of the Evangelical Church, Berlin. In the Luisen Parish (Charlottenburg) he preached yesterday only with police protection. The reason: Gandow was stalked, feared disturbance of the Sunday service.

Already on the way to the talk in the church, Gandow and Scientology ex-member Gerald Armstrong had been stalked and photographed by an unknown person. "They wanted to intimidate us," says Gandow to BZ. During the drive he alerted the police. They stopped the stalker at the Michendorf autobahn rest stop and took his personal information. According to Gandow, it was Mirko O., an active member of the Scientology organization (SO). The Sunday service in the Luisen Parish was therefore put under police protection.

Several Scientology members were said to have been among the attendees of the event. Pastor Gandow recognized, among others, one leading member of the organization. The woman wrote down the sermon and the testimony of the cult victim Gerald Armstrong.

Two years ago, a similar event was disturbed by Scientology adherents. According to the observations of the Office of Constitutional Protection (VSG) there are approximately two hundred members in Berlin. Because the VSG sees in Scientology "indications of efforts against the free basic order" this organization is under observation.

Photo captions:
[1]
Several officers are securing the Sunday service at Luisen Church at Gierkeplatz in Charlottenburg.

[2]
She notes every word.
Is this Scientology taking notes during the sermon?
During the sermon this woman diligently took notes.

[3]
Thomas Gandow (left) Sect Commissioner of the Evangelical Church and Gerald Armstrong, Scientology escapee.